

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1221.

(Given pursuant to section 4 of the Food and Drugs Act.)

MISBRANDING OF MORSE'S CREAM.

At the stated term of the Circuit Court of the United States for the Southern District of New York the United States Attorney for said district, acting upon a report by the Secretary of Agriculture, filed information in said court against Hazen Morse, alleging shipment by him, in violation of the Food and Drugs Act, on or about June 15, 1910, of a quantity of a drug product labeled Morse's cream, which was misbranded. The product was labeled: (On outside wrapper and bottle) "Morse's Cream, Hazen Morse, Bridgeburg, Ont. Can. New Rochelle, N. Y. Guaranteed under the Food and Drugs Act, June 30, 1906. Serial No. 302. Cod Liver Oil Cream contains 5% Alcohol for the purpose of preserving the Emulsion. An Artificially Digested Oil. Consequently is entirely absorbed by the stomach, and of 10 times greater nutritive value than Cod Liver Oil, plain or emulsified in the ordinary way. Economical and of the greatest value in Consumption, Coughs and all Wasting Diseases. Causes Immediate Increase in Weight. Price \$1.00. Formula, Cod Liver Oil, positively the finest Norwegian obtainable, 67 parts. Distilled water 33 parts. Oil digested artificially by means of pancreatin. Dose two teaspoonsful after each meal can be taken plain or mixed with water or other liquid as desired. Keep the bottle well corked and in a cool dark place. Shake well before using." (On Bottle) "Persons taking Morse's Cream are requested to keep an account of their weight that the increase in solid flesh may be shown. If preferred, Morse's Cream may be taken in Orange or Ginger Wine, or with Milk, according to taste. Shake well before using. This preparation will not change in any climate. If too thick add a little water and shake well. Keep in a cool place." (Blown in bottle) "Hazen Morse Canada."

Analysis of a sample of said product made by the Bureau of Chemistry of the United States Department of Agriculture showed it to be an emulsion consisting essentially of 39.61 per cent of cod liver oil, 41.66 per cent of water, together with a small quantity of

alcohol and oil of cassia; 0.37 per cent ash, and a small amount of sugar, the balance being the gum used as an emulsifying agent. Misbranding was alleged for the following reasons: Because the container and label of said article bore statements regarding it and the ingredients and substances contained therein which were false and misleading, in that they stated, among other things, that said article was an artificially digested oil, and was made in a way different from and superior to the way cod liver oil is ordinarily made, and contains 67 parts cod liver oil, and was digested artificially by pancreatin, whereas it was an ordinary cod liver oil not artificially digested, and contained less than 67 parts cod liver oil.

On October 5, 1911, the defendant pleaded guilty and was fined \$50.

JAMES WILSON,
Secretary of Agriculture.

WASHINGTON, D. C., *November 28, 1911.*

